

9 Rec'd PCT/PTO 0 2 JUN 2001

FORM PTO-1390 (REV. 11-2000)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER <b>146154.00000</b>	
<b>TRANSMITTAL LETTER TO THE UNITED STATES          DESIGNATED/ELECTED OFFICE (DO/EO/US)          CONCERNING A FILING UNDER 35 U.S.C. 371</b>				U.S. APPLICATION NO. (if known, see 37 CFR 1.5) <b>09/857357</b>	
INTERNATIONAL APPLICATION NO. PCT/EP99/09310		INTERNATIONAL FILING DATE 30 November 1999		PRIORITY DATE CLAIMED 3 December 1998	
TITLE OF INVENTION <b>DEVICE FOR ADJUSTING A GAP</b>					
APPLICANT(S) FOR DO/EO/US HOECHST TRESPAPHAN GMBH, Bergstrasse, Neunkirchen					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected by the expiration of 19 months from the priority date (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).					
<b>Items 11 to 20 below concern document(s) or information included:</b>					
11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A FIRST preliminary amendment. 14. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A change of power of attorney and/or address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: Express Mail Certificate, Return Postcard, Preliminary Amendment, IDS, 4 SHEETS OF DRAWINGS; WO 00/32375; DE 37 31 961; US 4 781 562; DE 38 34 719; PCT FORM 101; PCT FORM 304; Int. Prel. Exam. Report; Int. Search Report; Commercial Register Evidencing Change of Name Check for Fees totaling \$860.00					

U.S. APPLICATION NO. <b>097/857357</b>		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
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<b>21. <input checked="" type="checkbox"/> The following fees are submitted:</b> <b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO. .... <b>\$1000.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO .... <b>\$860.00</b>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO .... <b>\$710.00</b>  International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) .... <b>\$690.00</b> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) .... <b>\$100.00</b> <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS PTO USE ONLY</b>          <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>\$ 860.00</b> </div>	
Surcharge of <b>\$130.00</b> for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>\$ 0.00</b> </div>	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	15 - 20 =		x <b>\$18.00</b>	\$ 0.00	
Independent claims	2 - 3 =		x <b>\$80.00</b>	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ <b>\$270.00</b>	\$ 0.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$ 860.00</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2				<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>\$ 0.00</b> </div>	
<b>SUBTOTAL =</b>				<b>\$860.00</b>	
Processing fee of <b>\$130.00</b> for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>\$</b> </div>	
<b>TOTAL NATIONAL FEE =</b>				<b>\$860.00</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <b>\$40.00</b> per property +				<div style="border: 1px solid black; padding: 5px; margin-top: 10px;"> <b>\$</b> </div>	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$ 860.00</b>	
				Amount to be refunded:	\$
				charged:	\$

  

a. ☒ A check in the amount of \$ 860.00 to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-1682. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

  

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

**POWELL, GOLDSTEIN, FRAZER & MURPHY LLP**  
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 1001 Pennsylvania, Ave., NW  
 Washington, DC 20090-7223

*David W. Woodward*

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 SIGNATURE  
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 REGISTRATION NUMBER  
 Dated: June 1, 2001

09/857357

6 JUN 2001

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Date: June 1, 2001

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US Patent & Trademark Office  
Washington, D.C. 20231

**EXPRESS MAILING CERTIFICATE**

Applicant(s): FREYNHOFER, et al.

Serial No. (if assigned):

For: DEVICE FOR ADJUSTING A GAP

Attorney Docket No.: 146154.00000

Attorney: David W. Woodward

Express Mail Mailing Label No.: ..... ET 012044264 US

Date of Deposit: ..... June 1, 2001

I hereby certify and verify that the accompanying **National Stage Entrance PCT WO 00/32375 including Int. Prel. Examination Report, Int. Search Report; Commercial Register Evidencing Change of Name; PCT FORM 101; PCT FORM 304; Transmittal Letter, Preliminary Amendment, IDS with references cited therein, 4 Sheets of Drawings, Check for Fees and Return Postcard** are being deposited with the United States Postal Service "Express Mail Post Office To Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is/are addressed to, Box PCT, Commissioner for Patents – US Patent and Trademark Office, Washington, DC 20231.



Signature of Person Mailing Document(s)